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EXTRAORDINARY

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Separate paging is given to this part in order that it may be filed  
as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 15th November, 1991/Kartika 24, 1913 (Saka)

The following President's Act is published for general information:—

## THE PUNJAB AGRICULTURAL PRODUCE MARKETS (SECOND AMENDMENT) ACT, 1991

No. 7 of 1991

Enacted by the President in the Forty-second Year of the  
Republic of India.

An Act further to amend the Punjab Agricultural Produce Markets  
Act 1961.

24 of 1987. In exercise of the powers conferred by section 3 of the Punjab State  
Legislature (Delegation of Powers) Act, 1987, the President is pleased  
to enact as follows:—

1. (1) This Act may be called the Punjab Agricultural Produce  
Markets (Second Amendment) Act, 1991.

(2) It shall come into force at once.

Punjab  
Act 23  
of 1961.

2. In the Punjab Agricultural Produce Markets Act, 1961 (here-  
inafter referred to as the principal Act), in section 3, in sub-section (8),  
in the proviso, for the words "four years and six months", the words  
"five years" shall be substituted.

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12-C.

3. In section 12-C of the principal Act, in the proviso, for the words “four years”, the words “four years and six months” shall be substituted.

R. VENKATARAMAN,  
*President.*

— — — — —  
K. L. MOHANPURIA,  
*Additional Secretary to the Govt. of India.*

*Reasons for the enactment*

The Punjab State Agricultural Marketing Board constituted under section 3 of the Punjab Agricultural Produce Markets Act, 1961, was suspended by the State Government with effect from the 19th June, 1987, under the powers conferred on it by sub-section (8) of section 3 of the Act and the Financial Commissioner Development and Secretary to Government, Department of Agriculture, Punjab was appointed to exercise the functions of the Board and its Chairman till such time as the new Board is constituted. Originally, the Board had to be constituted within six months from the date of its suspension. However, keeping in view the prevailing circumstances in the State of Punjab and to ensure administrative pattern conducive to the requirements under the said circumstances, it was considered necessary to enhance the period of constitution of the said Board from time to time. This period comes to an end on the 18th December, 1991. The circumstances which led to the passing of President's Act 2 of 1991 remain unchanged. Further, a comprehensive administrative reorganisation of the Board is being undertaken to prevent the recurrence of the circumstances leading to its suspension. It is, therefore, proposed to amend the Punjab Agricultural Produce Markets Act, 1961 to enhance the period of constitution of the said Board by six more months.

2. The Market Committees in the State, nominated in accordance with the provisions of the Punjab Agricultural Produce Markets Act, 1961, were not representative bodies and were not serving the best interests of the State due to party faction and gross mismanagement. By the Punjab Agricultural Produce Markets (Amendment) Act, 1987 (President's Act 3 of 1987), the nominated Market Committees in the State were superseded and the State Government Officers were appointed as Administrators to perform the functions of the Market Committees and their Chairman, etc., for a period of one year, that is to say, up to the 15th November, 1988, and further extended from time to time up to the 16th November, 1991. Under the circumstances prevailing in the State, it is not possible to hold elections to the Market Committees and it is, therefore, proposed to amend the Punjab Agricultural Produce Markets Act, 1961 to enhance the period of reconstitution of the said Committees by six more months.

3. The Government have, therefore, decided to enhance the period of constitution of the Agricultural Marketing Board from four years and six months to five years and the reconstitution of the Market Committees from four years to four years and six months by amending section 3 and section 12-C, respectively of the Punjab Agricultural Produce Markets Act, 1961, suitably for this purpose.

4. Parliament has under article 357(1) (a) of the Constitution conferred on the President the power of the legislature of the State of Punjab to make laws vide the Punjab State Legislature (Delegation of Powers) Act, 1987 (24 of 1987).

5. Under the proviso to sub-section (2) of section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1987, the President shall,

before enacting any President's Act, whenever he considers it practicable to do so, consult the Committee constituted for the purpose consisting of the Members of both the Houses of Parliament. In view of the urgency of the matter, it is not practicable to consult the Committee. This Bill is, accordingly, being enacted without reference to the Committee.

S. R. SANKARAN,

*Secretary to the Govt. of India,  
Ministry of Rural Development.*